

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

ALONZO GRANT and STEPHANIE GRANT,

Plaintiffs,

v.

NOTICE OF APPEAL

Civil Action No.: 5:15-cv-00445
(DNH/TWD)

CITY OF SYRACUSE; SYRACUSE POLICE
DEPARTMENT, POLICE OFFICERS DAMON
LOCKETT and PAUL MONTALTO, POLICE
OFFICER, BRIAN NOVITSKY,
CHIEF OF POLICE FRANK FOWLER and Does 1-100,

Defendants.

NOTICE IS HEREBY GIVEN that Defendants City of Syracuse, Damon Lockett, Paul Montalto, Brian Novitsky, and Chief of Police Frank L. Fowler, (“Defendants”), hereby appeal to the United States Court of Appeals for the Second Circuit from all orders, decisions, rulings, verdict and judgments adverse to Defendants¹ in this action, including, but not limited to:

1. Each and every part of the Memorandum-Decision and Order dated and entered November 17, 2017 (*see* Dkt. No. 89) adverse to Defendants in this action;
2. Each and every part of the Decision and Order dated August 29, 2018 and entered August 30, 2018 (*see* Dkt. No. 115) adverse to Defendants in this action;

¹ By Memorandum-Decision and Order dated November 17, 2017, the Court dismissed the Syracuse Police Department and “Does 1-100” as defendants from this action. *See generally* Dkt. No. 89. By Memorandum-Decision and Order dated October 4, 2018, the Court dismissed Defendant Chief Frank Fowler from this action. *See* Dkt. No. 147. By Summary Order dated October 17, 2018, the Court dismissed Defendant Brian Novitsky from this action. *See* Dkt. 151 and TEXT Minute Entry dated October 17, 2018. On October 23, 2018, a jury returned a “no cause” verdict as against Defendant City of Syracuse, and the Court subsequently ordered that the City of Syracuse be dismissed from the action. *See* TEXT Minute Entry dated October 23, 2018.

3. Each and every part of the Memorandum-Decision and Order dated and entered October 3, 2018 (*see* Dkt. No. 145) adverse to Defendants in this action;

4. Each and every order, decision, and/or ruling made during the course of the jury trial in this action between October 9, 2018 and October 23, 2018 adverse to any Defendants in this action;

5. Each and every part of the Summary Order dated and entered October 17, 2018 (*see* Dkt. No. 151) adverse to remaining Defendants in this action;

6. The Court's preliminary and final jury instructions (*see* Dkt. No. 158);

7. The Jury Verdict entered October 23, 2018 (*see* Dkt. No. 155);

8. The Judgment entered October 23, 2018 (*see* Dkt. No. 156);

9. Each and every part of the Memorandum-Decision and Order dated and entered February 8, 2019 (*see* Dkt. No. 191), adverse to remaining Defendants in this action;

10. The Judgment entered February 8, 2019 (*see* Dkt. No. 192);

11. Any other decision, judgment, or order adverse to any or all of the Defendants in this action.

Executed on February 22, 2018

KRISTEN E. SMITH, ESQ.
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/s/

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